

ESTTA Tracking number: **ESTTA122873**

Filing date: **02/01/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91170262
Party	Defendant JMBP, Inc. JMBP, Inc. 2nd Floor 640 North Sepulveda Boulevard Los Angeles, CA 90049
Correspondence Address	GARY A. HECKER, THE HECKER LAW GROUP, PLC 1925 CENTURY PARK EAST, SUITE 2300 LOS ANGELES, CA 90067
Submission	Stipulated/Consent Motion to Extend
Filer's Name	James M. Slominski
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Signature	/james m. slominski/
Date	02/01/2007
Attachments	Motion to Extend.pdf (3 pages)(302341 bytes)

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11 JMBP, INC.

12 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
13 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

14 TAKE-TWO INTERACTIVE
15 SOFTWARE, INC.,

16 Opposer,

17 v.

18 JMBP, INC.,

19 Applicant.

20 Opposition Nos. 91170222 ("Parent" case)
21 91170262
22 91170263
23 91172299

24 **APPLICANT'S CONSENTED MOTION**
25 **TO EXTEND DISCOVERY AND**
26 **TESTIMONY PERIODS**

27 To: Commissioner for Trademarks
28 P. O. Box 1451
Alexandria, VA 22313-1451

29 Comes now Applicant, JMBP, Inc. ("JMBP"), with the consent of Opposer,
30 TAKE-TWO INTERACTIVE SOFTWARE, INC. ("TAKE-TWO"), requests that the
31 time for discovery and testimony be extended ninety (90) days to enable the parties to
32 depose individuals and complete discovery in the consolidated oppositions: "Parent"
33 case Opposition No. 91170222 (Serial No. 78431325), Opposition No. 91170262
34 (Serial No. 78976391), Opposition No. 91170263 (Serial No. 78976392), Opposition
35 No. 91172299 (Serial Nos. 78976773, 78976774 and 78976775).

1 Applicant requests an extension of the discovery and testimony periods so that
2 this and all consolidated oppositions have a unified table for trial is as follows:

3		
4	Period for Discovery to Close:	May 29, 2007
5		
6	30 Day Testimony Period for Party in Position of Plaintiff to Close:	August 29, 2007
7		
8	30 Day Testimony Period for Party in Position of Defendant to Close:	October 29, 2007
9		
10	15 Day Rebuttal Testimony Period for Plaintiff to Close:	December 13, 2007
11		

12 This extension is not being sought for purpose of delay or due to a lack of
13 diligence of the parties. The parties have consented to an extension of the discovery
14 and testimony periods because they believe in good faith that additional time is
15 necessary to schedule and complete discovery.

16
17
18 Dated: January 31, 2007

THE HECKER LAW GROUP, PLC

19
20
21 By 

Gary A. Hecker, Esq.

James M. Slominski, Esq.

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28 JMBP, INC.

1 **Certificate of Service**

2 U.S. PATENT & TRADEMARK OFFICE
3 TRADEMARK TRIAL AND APPEAL BOARD
4 Opposition No. 91170222 (Parent Case)

5 I am employed in the County of Los Angeles, State of California. I am over
6 the age of 18 and not a party to the within action. My business address is: The
7 Hecker Law Group, PLC, 1925 Century Park East, Suite 2300, Los Angeles,
California 90067.

8 On January 31, 2007 I caused to be served the attached document:

9 **APPLICANT'S CONSENTED MOTION TO EXTEND DISCOVERY AND**
10 **TESTIMONY PERIODS**

11 by placing a true copy thereof in a sealed envelope addressed as follows:

12 Fred H. Perkins
13 MORRISON COHEN LLP
14 909 Third Avenue
New York, NY 10022

15 **X BY MAIL**

16 I caused such envelope with postage thereon fully prepaid to be placed in the
17 United States mail at Los Angeles, California.

18 Executed on January 31, 2007 at Los Angeles, California. I declare that I am
19 employed in the office of a member of the State Bar of California at whose
20 direction the service was made.

21
22 
23 Moneeta Kiran

24
25
26
27
28

CERTIFICATE OF SERVICE